

REMARKS

Claims 1-12 are pending. Claim 3 has been withdrawn from consideration by the Examiner for being drawn to a non-elected invention. By this Amendment, Claims 1 and 2 are amended herein, and new Claims 4-12 are added. Applicant respectfully submits no new material is presented herein.

Claims 1-2 and 4-12 Recite Patentable Subject Matter

Claims 1-2 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 5,212,368 to Hara. Applicant respectfully traverses the rejection.

Pending independent Claim 1 recites a set of cards for a game having a plurality of types of characters displayed on each of the cards including a resistance member having a predetermined electrical resistance value for each character, wherein the electrical resistance value of the resistance member is measured by causing the resistance member to come into contact with an external terminal.

Pending independent Claim 2 recites a set of pieces for a game molded in a plurality of types of characters, each of the pieces including a resistance member having a predetermined electrical resistance value for each character, wherein the electrical resistance value of the resistance member is measured by causing the resistance member to come into contact with external terminals.

As noted above, independent Claims 1 and 2 each recite the resistance member has a predetermined electrical resistance value for each character of the game.

Applicant respectfully submits Hara does not disclose or suggest such a feature.

The Office Action states Hara discloses a resistance member (1a) having a resistance value determined for each character, that is, the bar code discussed in

column 2, lines 55-65. The Office Action further states the resistance value of the resistance member is measured by causing the resistance member to come into contact with an external member, that is, the reader unit (3).

Applicant respectfully submits the bar code (1a) provided on the card (1) disclosed by Hara does not have a predetermined electrical resistance value for each character of a game. Applicant respectfully submits Hara discloses the related art discussed in the third full paragraph on page 2 of the instant application. In other words, Hara discloses a bar code (1a) having data encoded therein that is read by an external device, e.g., a scanner, reader, etc.

Applicants respectfully submits that it is well known in the art that the data encoded in the bar code may be any one of numeric, alphanumeric, ASCII characters (128 of 256 bit), and even zip codes. However, Applicant respectfully submits that it is well known in the art that the data encoded in the bar codes does not contain a predetermined electrical resistance value that is measured by the external device because the bar codes are typically dark lines, e.g., black, superimposed on a light or white colored background. Put simply, the bar code (1a) on the card (1) disclosed by Hara does not have a predetermined electrical resistance value. Furthermore, the external reading device disclosed by Hara, i.e., card reader unit (3), cannot measure the electrical resistance value by contacting the resistance member since the reader (3) "reads" or "scans" the data encoded on the card (1) and does not measure an electrical resistance value of the card.

To qualify as prior art under 35 U.S.C. §102, a single reference must teach, i.e., identically describe, each feature of a rejected claim. As explained above, Hara does not disclose or suggest a resistance member having a predetermined electrical resistance value as recited by independent Claims 1 and 2. Accordingly, Applicant respectfully submits pending Claims 1 and 2 are not anticipated by, nor rendered obvious in view of, Hara. Therefore, Applicant respectfully submits pending Claims 1 and 2 should be deemed allowable.

Claims 4-11 depend, either directly or indirectly, from Claim 1. Claim 12 depends from Claim 2. It is respectfully submitted that these dependent claims be deemed allowable for the same reasons Claims 1 and 2 are allowable as well as for the additional subject matter recited therein.

Applicant respectfully requests withdrawal of the rejection.

Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejection, allowance of Claims 1-2 and 4-12, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 024656-00009.**

Respectfully submitted,
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